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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Loftus)
Application No.: 09/541,162)
Filing Date: March 31, 2000)
For: Retrofit Chain Sickle Cutter)
)
)
)
)
Examiner: R. Pezzuto
Art Unit: 3671

Reissue of U.S. Pat. No. 5,845,474 issued December 8, 1998 from 08/928,829

**SUPPLEMENTAL DECLARATION AND POWER OF
ATTORNEY FOR REISSUE APPLICATION**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

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I, Thomas E. Loftus, hereby declare and say that:

1. I, Thomas E. Loftus, believe that I am the original, first and sole inventor of the subject matter that is described and claimed in United States Patent Number 5,845,474 (hereinafter the "'474 patent") that was granted to me on December 8, 1998. My residence is the same as my post office address and is set forth as follows together with my name and citizenship:

Name: Thomas E. Loftus
Residence: 224 Country Road O-East, Ivesdale, Illinois 61851
P.O. Address: same as above
Citizenship: United States

2. I, Thomas E. Loftus, believe that I am the original, first and sole inventor of the subject matter that is claimed in claim 1 and is described in the '474 patent, and for which invention I solicit a reissue patent. I hereby state that I have reviewed and understand the contents of the above-identified specification, including claim 1 referenced above.

3. I, Thomas E. Loftus, acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in 37 C.F.R. 1.56.

4. I, Thomas E. Loftus, hereby claim domestic priority benefits under Title 35, United States Code, Section 120 of the following U.S. patent application Ser. No. 08/641,505 filed May 1, 1996, now U.S. Pat. No. 5,732,539, issued March 31, 1998.

5. I, Thomas E. Loftus, believe that the original '474 patent is partly inoperative because I inadvertently claimed less than I had a right to claim in the issued '474 patent. I further believe that the '474 patent is partly inoperative due to a number of errors all of which were committed without any deceptive intent. This reissue application is based on the error that, for example, issued claim 1 contained in the original '474 patent is unnecessarily narrow in that it claims:

"A chain assembly for a cutting and mowing apparatus, comprising a plurality of chain members, a plurality of knife members, and a plurality of link members"

instead of claiming, as stated in new claim 2 submitted in the preliminary amendment of March 31, 2000,

"A chain assembly comprising at least one chain member, at least one knife member, and at least one link member"

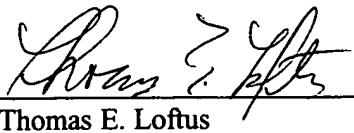
I further believe that all errors which are being corrected in the present reissue application up to the time of filing of this declaration arose without any deceptive intent on anyone's part.

6. I, Thomas E. Loftus, hereby appoint the following attorneys to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

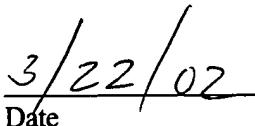
7. I, Thomas E. Loftus, hereby request that all correspondence and telephone calls concerning this reissue application be directed to:

Brian C. Rupp, Esq.
Gardner, Carton & Douglas,
321 N. Clark Street, Suite 3400,
Chicago, Illinois 60610
Telephone No. (312) 245-8738
Facsimile No. (312) 644-3381

8. I, Thomas E. Loftus, hereby declare that all statements made herein of my own knowledge are true and that all statements made upon information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.



Thomas E. Loftus



Date